

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE TREMONT SECURITIES LAW, :
STATE LAW AND INSURANCE : Master File No. 08 Civ. 11117(TPG)
LITIGATION :

This Document Relates to: :

STATE LAW ACTION, 08 Civ. 11183 (TPG): 11 Civ. 1851 (TPG)

LAKEVIEW INVESTMENT, LP :

Plaintiff, :

- against - :

ROBERT SCHULMAN, et al. :

Defendants. :
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**THE FUNDS' JOINDER IN THE TREMONT AND MASSMUTUAL
DEFENDANTS' REPLY MEMORANDA OF LAW IN FURTHER
SUPPORT OF THEIR MOTION FOR JUDGMENT ON THE PLEADINGS**

Defendants Rye Select Broad Market XL Fund, L.P. (the “XL Fund”) and Rye Select Broad Market Fund, L.P. f/k/a American Masters Broad Market Fund L.P. (the “Broad Market Fund”) (collectively, the “Funds”), by their attorneys, Tannenbaum Helpern Syracuse & Hirschtritt LLP, respectfully join in Points I.A and B of The Tremont Defendants’ Reply Memorandum Of Law In Further Support Of Their Motion For Judgment On The Pleadings (Dkt. no. 727), and Points A and B (1), (2), and (3) of the Massachusetts Mutual Life Insurance Company’s Reply Memorandum Of Law In Further Support Of Their Motion For Judgment On The Pleadings (Dkt. no.725).

In the interests of judicial economy, the Funds hereby adopt and incorporate the legal arguments and authorities set forth therein, and respectfully request that this Court issue an order, pursuant to Rule 12(c) of the Federal Rules of Civil Procedure, dismissing the Complaint as against

the Funds on the ground that the plaintiff's claims are barred by the Securities Litigation Uniform Standards Act of 1998, and the principles of release and res judicata.

Dated: New York, New York
March 20, 2012

TANNENBAUM HELPERN
SYRACUSE & HIRSCHTRITT LLP

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